

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

LOWANA SHANELL DUMAS,

Plaintiff,

v.

Case No. 10-12661

HURLEY MEDICAL CENTER, et al.,

Defendant.

**ORDER STRIKING PLAINTIFF'S RESPONSE TO HURLEY DEFENDANTS'
MOTION TO QUASH, SUR-REPLY, AND SUPPLEMENT TO SUR-REPLY
AND SETTING TELEPHONIC CONFERENCE**

Defendants Hurley Medical Center, Dwayne Parker, and Kristen Deloney (collectively "Hurley Defendants") filed a motion to quash or modify a subpoena on November 9, 2011. On November 10, 2011, Plaintiff Lowana Dumas filed a response. Contained within Plaintiff's response are three independent motions: (1) a motion to compel discovery; (2) a motion to add a due process claim against Defendant Hurley Medical Center; and (3) a "Motion in Limine for Admission of Evidence." Hurley Defendants filed a reply on November 11, 2011, and, thereafter, Plaintiff filed, without leave of the court, a sur-reply and a supplement to the sur-reply. The supplement to the sur-reply also contained a motion seeking an order directing Hurley Defendants to "show cause for material misrepresentation." The court will strike Plaintiff's response, sur-reply, and supplement to the sur-reply because the court's practice guidelines do not permit motions which are tacked onto responses or replies.¹ Further, the local rules

¹ See http://www.mied.uscourts.gov/Judges/guidelines/topic.cfm?topic_id=69

permit the filing of motions, responses, and optional replies, but sur-replies are generally not allowed without leave of court. E.D. Mich. LR 7.1. Accordingly,

IT IS ORDERED that Plaintiff's "Objection and Response to Defendant's Improper Motion to Quash . . ." [Dkt. # 103], "Response to Reply . . ." [Dkt. # 106], and "Supplement to Response to Reply . . ." [Dkt. # 107] are STRICKEN from the court's docket.

IT IS FURTHER ORDERED that all parties shall participate in a telephonic conference on **November 16, 2011, at 9:45 a.m.** The parties should be prepared to discuss Plaintiff's motion to extend discovery [Dkt. # 95] and Hurley Defendants' motion to quash [Dkt. # 102]. The court will initiate the call.

s/Robert H. Cleland

ROBERT H. CLELAND

UNITED STATES DISTRICT JUDGE

Dated: November 15, 2011

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, November 15, 2011, by electronic and/or ordinary mail.

s/Lisa G. Wagner

Case Manager and Deputy Clerk

(313) 234-5522